IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 19TH DECEMBER 2007 / 28TH AGRAHAYANA 1929

WP(C).No. 37707 of 2007(L)

PETITIONER:

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1. FARCOM CABLE SYSTEMS PVT. LTD.
   19TH K.M.MYSORE ROAD,ANCHAPALYA,CHELLAGHATTA ROAD
   CROSS,BANGALORE 560074 REPRESENTED BY ITS
   MANAGING DIRECTOR,D. JAYACHAND.

2. SHARMA TRANSPORTS, 328/1.328
   SANGEETHA BHAVAN, TIPPU SULTHAN PALACE ROAD
   KALASIPALAYAM FORT BANGALORE 560 002
   REPRESENTED BY ITS BRANCH MANAGER,
   C.RAMDAS, COCHIN BARANCH,M.G.ROAD, ERNAKULAM.

BY ADV. SRI.V.K.SUBRAMANIAN
SRIM.K.SASEENDRAN
SRI.P.S.PRADEEP

RESPONDENTS:

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1. THE INTELLIGENCE INSPECTOR,
   SQUAD NO.II, COMMERCIAL TAXES, ERNAKULAM.

2. THE STATE OF KERALA REPRESENTED BY THE
   SECRETARY TO GOVT. FINANCE DEPARTMENT,
   THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI C.K.GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C) 37707 of 2007

Dated: December 19, 2007

JUDGMENT

Detention of goods as per Ext.P3 is under challenge. In view of the irregularities that are noticed in Ext.P3, the goods cannot be ordered to be released and an enquiry is warranted as to the correctness of the statement in Ext.P3.

2. In view of this I direct that the goods shall be released to the petitioners on furnishing bank guarantee for the security amount demanded under Ext.P3. This, however, shall be subject to the right of the respondents to continue the proceedings against the petitioners.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE

mt/-